



Issued: September 9, 2019

**TOWN PLAN AND ZONING COMMISSION REGULAR MEETING
WEDNESDAY, SEPTEMBER 4, 2019
LEGISLATIVE CHAMBER, ROOM 314
TOWN HALL, WEST HARTFORD, CT 06107**

FINAL MINUTES

ATTENDANCE: Chair: Kevin Ahern, Commissioners: Liz Gillette, Michele Maresca, Alternates: Gordon Binkhorst, Andrea Gomes Staff: Todd Dumais, Town Planner; Catherine Dorau, Associate Planner; Gina M. Varano, Assistant Corporation Counsel

ABSENT: Vice Chair: Kevin Prestage, Commissioner: John O'Donnell

CALL TO ORDER/ROLL CALL: 7:00 P.M.

MATTERS FOR PUBLIC HEARING SHALL BE CALLED AT 7:15 P.M.

Gordon Binkhorst seated for Kevin Prestage and Andrea Gomes seated for John O'Donnell on all items.

MINUTES:

1. Approval of Minutes:
 - a. Minutes of the Regular Meeting, Monday, August 5, 2019
Motion/Binkhorst; Second/Gomes; Vote 4-0.

COMMUNICATIONS:

2.
 - a. **2019 Woodridge Lake and Wood Pond Fall Drawdown** – Woodridge Lake Association requests permission to drawdown both Woodridge Lake and Wood Pond by approximately 30 (thirty) inches from October 1, 2019 to November 30, 2019 as part of their fall maintenance. *Received. Motion/Gillette; Second/Binkhorst; Vote 5-0.*

- b. **25 Kane Street** – Wetlands notice of violation involving tree removal and grading.
Received.

NEW BUSINESS:

3. **1 Memorial Road** – Application (SUP #1258-LB-19) of Valerio Zambrano on behalf of Delamar West Hartford LLC, requesting TPZ review and look-back of compliance with the conditions of SUP #1258. Originally approved September 6, 2017 for a ninety-eight seat outdoor dining for Artisan restaurant. (Submitted for TPZ receipt on September 4, 2019. Suggest required public hearing be scheduled for October 7, 2019.)

The TPZ acted by **unanimous vote (4 - 0)** (Motion/Gillette; Second/Binkhorst) (Binkhorst Seated for Prestage, Gomes seated for O'Donnell; Maresca abstained) to schedule this matter for public hearing on **Monday, October 7, 2019 at 7:15 P.M. in Room 400, West Hartford Town Hall, 50 South Main Street.**

4. **991 Farmington Avenue** – Application (SUP 1302-LB-19) of Dorjan Puka of Zohara restaurant, on behalf of LaSalle Road Partners, R.O. (Hilary Donald, AIA), requesting TPZ review and look-back of compliance with the conditions of SUP #1302. Originally approved October 2, 2017 for an eighty seat outdoor dining area for Zohara restaurant. (Submitted for TPZ receipt on September 4, 2019. Suggest required public hearing be scheduled for October 7, 2019.)

The TPZ acted by **unanimous vote (5 - 0)** (Motion/Binkhorst; Second/Maresca) (Binkhorst Seated for Prestage, Gomes seated for O'Donnell) to schedule this matter for public hearing on **Monday, October 7, 2019 at 7:15 P.M. in Room 400, West Hartford Town Hall, 50 South Main Street.**

5. **25 Flagg Road** – Application (SUP #1349) of Michael Louis, Club Manager on behalf of the Hartford Tennis Club, requesting approval of a Special Use Permit to install a 10' x 12' shed near the southeast corner of the property. (Submitted for TPZ receipt on September 4, 2019. Suggest required public hearing be scheduled for October 7, 2019.)

The TPZ acted by **unanimous vote (5 - 0)** (Motion/Maresca; Second/Gillette) (Binkhorst Seated for Prestage, Gomes seated for O'Donnell) to schedule this matter for public hearing on **Monday, October 7, 2019 at 7:15 P.M. in Room 400, West Hartford Town Hall, 50 South Main Street.**

6. **60 North Main Street (North Cemetery)** – Application (SUP #1333-R1-19) of Brooke Nelson on behalf of the West Hartford Department of Public Works, requesting a modification of the conditions of approval for SUP#1333 originally approved on March 4, 2019 for the expansion of the North Cemetery. The requested modification seeks to permit the sale of some of the burial plots based on Fall groundwater test results in lieu of the originally required Spring testing period. (Submitted for TPZ receipt on September 4, 2019. Suggest required public hearing be scheduled for October 7, 2019.)

The TPZ acted by **unanimous vote (5 - 0)** (Motion/Binkhorst; Second/Gomes) (Binkhorst Seated for Prestage, Gomes seated for O'Donnell) to schedule this matter for public hearing on **Monday, October 7, 2019 at 7:15 P.M. in Room 400, West Hartford Town Hall, 50 South Main Street.**

7. **269 Ridgewood Road** – Application (IWW #1111) of Meghan O'Shea, Applicant & Owner (and Steven Honyotski, R.O.), requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a

watercourse (Wood Pond). On May 28, 2019 a Notice of Inland Wetlands & Watercourse Violation was issued by the Designated Agent for work without permits within a regulated area. The applicant is requesting the removal of previously removed tree stumps, placement of natural boulders for stabilization of the shoreline of the pond, landscape plantings, construct a dock, and a ramp with stone landing along the bank of Wood Pond and within 150 ft. upland review regulated area. (Submitted for IWWA receipt on September 4, 2019. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Binhorst, Second/Maresca) (Binkhorst Seated for Prestage, Gomes seated for O'Donnell) to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **Monday, October 7, 2019 at 7:15 P.M. in Room 400, West Hartford Town Hall, 50 South Main Street.**

8. **473 & 477 Mountain Road** – Application (IWW #1112) of William Prokop of T&M Building Co., Inc. on behalf of Landmark Realty Group, LLC (Record Owner), requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetlands regulated area. The applicant proposes to construct a single-family home at 473 Mountain Road with associated site improvements, including the removal and relocation of underground utilities for the adjacent 477 Mountain Road. The proposed work is within a 150' upland review area. (Submitted for IWWA receipt on September 4, 2019. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, in accordance with the Town of West Hartford Inland Wetlands and Watercourse Regulations, a motion was made by the IWWA (Motion/Gillette, Second/Binkhorst) (Binkhorst seated for Prestage, Gomes seated for O'Donnell) to find the application to be potentially significant. By a **vote of (0-5)**, the motion failed and proposed regulated activity was found to be **NON-SIGNIFICANT** and thus conditionally approved the application based on the following findings:

473 & 477 MOUNTAIN ROAD
INLAND WETLAND APPLICATION IWW #1112
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **473 & 477 Mountain Road** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1112** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

[1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.

[2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;

[3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.

[4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities, which are made inevitable by the proposed regulated activity, will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures, which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel(s) of land is located **473 & 477 Mountain Road.**

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein and modified by the conditions below.
- 2.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended.
- 3.) Prior to the start of any site disturbance, all sediment and erosion controls shall be installed and the Town Planner shall be notified for inspection.
- 4.) The permit shall expire if not exercised within five (5) years from the date of issuance, or date of final resolution of any legal action challenging this permit.

- 5.) This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

OLD BUSINESS:

9. **Spicebush Swamp Park – Parcel ID 370111730101 – On Mountain Road** – Application (IWW #1109) of the Town of West Hartford, (Helen Rubino-Turco, Director of Leisure Services) requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a watercourse. The applicant is proposing to dredge McGovern Pond, located within Spicebush Swamp Park, to maintain the habitat and current use as an educational location and deposit the dredged materials in adjacent upland review area. The proposed project takes place within McGovern Pond and adjacent 150' upland review area. (Submitted for IWWA receipt on July 8, 2019. Determined to be potentially significant and public hearing scheduled for August 5, 2019. IWWA opened and continued the matter to September 4, 2019.) *Approved with conditions. Motion/Binkhorst; Second/Gillette; Vote 5-0.*

The request to conduct certain regulated activities at **Spice Bush Swamp Park located on Mountain Road (Parcel ID 370111730101)** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1109** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

- [1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.
- [2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;
- [3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.
- [4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.
- [5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;
- [6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.
- [7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and
- [8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will

not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures, which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel(s) of land is located **Spicebush Swamp Park located on Mountain Road (Parcel ID 370111730101)**.

This permit is issued and made subject to the following conditions:

- 6.) Plans of record are incorporated by reference in this permit as fully set forth herein and modified by the conditions below.
- 7.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended.
- 8.) Weekly inspection reports of the sediment and erosion controls shall be submitted to the Town Planner. Additional erosion and sediment control measures shall be implemented and/or installed throughout the course of construction as/if deemed necessary and directed by the Design Engineer and/or West Hartford Town officials.
- 9.) Prior to the start of any site disturbance, all sediment and erosion controls and tree protection shall be installed. Once installed, but before the commencement of any disturbance, the Town Planner shall be notified and provided the opportunity to inspect.
- 10.) A final completion of work report which certifies the removal of invasive species and installation of proposed native bushes in the area highlighted on sheet 4 of the plans, prepared by qualified professional, shall be submitted to the Town Planner.

- 11.) The Applicant shall submit to the Town Planner for review and approval by the Town Engineer final as-built plans certifying that all improvements were completed in accordance with the approved plans.
- 12.) The Agency shall receive copies of all materials, correspondence and permits received from Connecticut Department of Energy and Environmental Protection and the Army Corps of Engineers.
- 13.) The permit shall expire if not exercised within five (5) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

10. **637 New Park Avenue** – Application (SUP #1341) of Tate Norden on behalf of Gastro Park LLC, requesting approval of a Special Use Permit pursuant to Section 177-37.4 to permit a food truck park to be located at 637 New Park Avenue. The proposed food truck park will include space for up to four food trucks; indoor dining, bar and games areas; outdoor dining and games patio; and associated site parking. (Submitted for TPZ receipt on July 8, 2019. Required public hearing scheduled for August 5, 2019. TPZ opened and immediately continued the matter to September 4, 2019.) *Approved with the following conditions. Motion/Gillette; Second/Maresca; Vote 5-0.*

1. The proposal meets the finding requirements of Section 177-37.4 and 177-42A (5a) of the West Hartford Code of Ordinances. In particular:
 - a. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
 - b. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.
 - c. The parking, loading, trash and recycling facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.
2. Plans of record are incorporated by reference in this approval and shall guide the appearance and operation of the food truck park area and modified by the conditions below.
3. Final sanitary and storm sewer easements for 635 A New Park Avenue, 1068 New Britain Avenue and 1078 New Britain Avenue, shall be submitted to the Office of Corporation Counsel for review and approval prior to execution and recording on the land records.
4. Prior to the issuance of any building permits, the sanitary and storm sewer easements for 635 A New Park Avenue, 1068 New Britain Avenue and 1078 New Britain Avenue shall be fully executed and recorded on the West Hartford land records.
5. The special use permit approval is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended.

6. Prior to the start of any site disturbance, all sediment and erosion controls and tree protection shall be installed. Once installed, but before the commencement of any disturbance, the Town Planner shall be notified and provided the opportunity to inspect.
7. Prior to the initial opening of the food truck park, an inspection by the Planning Division is required to ensure compliance with the approved plan.
8. The applicant shall comply with the operational statement submitted as part of the application and as modified below.
 - a. Use of the outdoor speaker system is restricted to low-level background music and shall comply with all applicable Town of West Hartford's Noise Ordinances.
 - b. The hours of operation for a food truck park shall be limited to 10:00 a.m. to 11:00 p.m. Food trucks may arrive at the park one hour prior to opening to the public and must vacate the park no later than one hour after closing to the public unless the vehicle is permitted to stay as noted above.
 - c. All parking spaces shall be stripped and maintained according to the plans on file.
 - d. Once open, contact information for the designated manager shall be provided to the Planning Division.
 - e. The modified operational statement shall be stripped onto the final plan
9. Use of the pea gravel area located above the retaining wall is restricted to landscape maintenance purposes and shall not be open to the public.
10. Pursuant to West Hartford Code of Ordinances Section 177-42A (8), the applicant shall return to the TPZ by September 2021 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operational concerns are identified.
11. This letter of approval shall be stripped onto the final plan.

11. **204 Fern Street and 1563 Asylum Avenue (Elizabeth Park)** - Application (SUP #1343) of Mary Dehais, TO Design, LLC, on behalf of the City of Hartford (R.O.) requesting approval of a Special Use Permit to improve the gateway entrance and construct a pedestrian walkway from Fern Street to Elizabeth Park. Additional landscaping is also proposed. (Submitted for TPZ receipt on August 5, 2019. Required public hearing scheduled for September 4, 2019.) ***Approved with the following conditions. Motion/Maresca; Second/ Binkhorst; Vote 5-0.***

1. The proposal meets the finding requirements of Section 177-42A (5a) of the West Hartford Code of Ordinances. In particular:
 - d. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
 - e. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.

- f. The parking, loading, trash and recycling facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.
2. Plans of record are incorporated by reference in this approval as fully set forth herein and modified by the conditions below.
3. The special use permit approval is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended.
4. Prior to the start of any site disturbance, all sediment and erosion controls and tree protection shall be installed. Once installed, but before the commencement of any disturbance, the Town Planner shall be notified and provided the opportunity to inspect.
5. As agreed to by the Applicant during the hearing, the existing bushes and landscaping around 200 and 206 Fern Street shall be maintained to the greatest extent feasible and any pruning, shall be kept to a bare minimum. All tree removal and plant pruning shall be overseen by a qualified landscape architect or landscape design professional.
6. As agreed to by the Applicant during the hearing, additional design solutions will be explored to address the stormwater drainage concerns raised by the property owner at 200 Fern Street. Any change in design must be submitted to the Town Engineer for review and approval.
7. Pursuant to West Hartford Code of Ordinances Section 177-42A (8), the applicant shall return to the TPZ by September 2021 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operational concerns are identified.
8. This letter of approval shall be stripped onto the final plan.

12. **170 Kingswood Road – Kingswood Oxford School** – Application (SUP #1345) of Amy Raisner, on behalf of Kingswood Oxford School, requesting approval of a Special Use Permit for the temporary use of portable lights on the Hoffman turf field for two night games on October 18, 2019 and November 8, 2019. (Submitted for TPZ receipt on August 5, 2019. Required public hearing scheduled for September 4, 2019.)

The TPZ acted by **unanimous vote (5 - 0)** (Motion/Gillette; Second/Gomes) (Binkhorst seated for Prestage, Gomes seated for O'Donnell) to **GRANT** the Special Use Permit application making the following finding:

1. The proposal meets the finding requirements of Section 177-42A (5a) of the West Hartford Code of Ordinances. In particular:
 - a. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.

- b. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.
- c. The parking, loading, trash and recycling facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.

13. **141 North Main Street** – Application (SUP #1346) of Andrew Vernon, Vernon Ventures LLC, requesting approval of a Special Use Permit to allow for a drop-in child care center (Moppets Drop-In) located in the Montessori School of Greater Hartford building. The center will have a maximum capacity of 34 children (28 for ages 3-12 and 6 for ages 0-2). (Submitted for TPZ receipt on August 5, 2019. Required public hearing scheduled for September 4, 2019.) *Approved with the following conditions. Motion/Gillette; Second/Maresca; Vote 5-0.*

1. The proposal meets the finding requirements of Section 177-42A (5a) of the West Hartford Code of Ordinances. In particular:
 - d. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
 - e. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.
 - f. The parking, loading, trash and recycling facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.
2. Plans of record are incorporated by reference in this approval as fully set forth herein and modified by the conditions below.
3. Pursuant to West Hartford Code of Ordinances Section 177-42A (8), the applicant shall return to the TPZ by September 2021 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operational concerns are identified.
4. This letter of approval shall be stripped onto the final plan

14. **1678 Asylum Avenue – University of Saint Joseph** – Application (IWW #1110) of Shawn Harrington, on behalf of the University of Saint Joseph, requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on wetlands areas. The applicant is proposing the construction of an approximately 24,535 s.f. footprint (31,174 g.s.f.) addition to the existing O’Connell Athletic Center with associated site, grading, drainage, and utility improvements. A portion of the proposed project takes place within 150’ upland review areas. (Submitted for IWWA receipt on August 5, 2019. Determined to be potentially significant and public hearing scheduled for

September 4, 2019.) *Approved with following conditions. Motion/Gillette; Second/Binkhorst; Vote 5-0.*

The request to conduct certain regulated activities at **1678 Asylum Avenue** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application **IWW #1110** should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:

- [1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application.
- [2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;
- [3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.
- [4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.
- [5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;
- [6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.
- [7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and
- [8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures, which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.

- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.
- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel(s) of land is located **1678 Asylum Avenue**.

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein and modified by the conditions below.
- 2.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended.
- 3.) Weekly inspection reports of the sediment and erosion controls shall be submitted to the Town Planner. Additional erosion and sediment control measures shall be implemented and/or installed throughout the course of construction as/if deemed necessary and directed by the Design Engineer and/or West Hartford Town officials.
- 4.) Prior to the start of any site disturbance, all sediment and erosion controls and tree protection shall be installed. Once installed, but before the commencement of any disturbance, the Town Planner shall be notified and provided the opportunity to inspect.
- 5.) The Applicant shall submit to the Town Planner for review and approval by the Town Engineer final as-built plans certifying that all grading and public improvements were completed in accordance with the approved plans. Such certification shall be made by a registered professional engineer.
- 6.) The permit shall expire if not exercised within five (5) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

- 15. **1678 Asylum Avenue – University of Saint Joseph** – Application (SUP #1347) of Shawn Harrington, on behalf of the University of Saint Joseph, requesting approval of a Special Use Permit to allow the construction of an approximately 24,535 s.f. footprint (31,174 g.s.f.) addition to the existing O’Connell Athletic Center with associated site, grading, drainage, and utility improvements. (Submitted for TPZ receipt on August 5, 2019. Required public hearing scheduled for September 4, 2019.) *Approved with following conditions. Motion/Binkhorst; Second/Gomes; Vote 5-0.*

- 1. The proposal meets the finding requirements of Section 177-42A (5a) of the West Hartford Code of Ordinances. In particular:
 - g. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving

access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.

- h. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.
- i. The parking, loading, trash and recycling facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.
2. Plans of record are incorporated by reference in this approval as fully set forth herein and modified by the conditions below.
3. The special use permit approval is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended.
4. Prior to the start of any site disturbance, all sediment and erosion controls and tree protection shall be installed. Once installed, but before the commencement of any disturbance, the Town Planner shall be notified and provided the opportunity to inspect.
5. Prior to the issuance of any building permits, the final Stormwater report and infrastructure design shall be reviewed and approved by the Town Engineer.
6. The Applicant shall submit to the Town Planner for review and approval by the Town Engineer final as-built plans certifying that all grading, parking, Stormwater infrastructure and landscaping improvements were completed in accordance with the approved plans. Such certification shall be made by a registered professional engineer.
7. Pursuant to West Hartford Code of Ordinances Section 177-42A (8), the applicant shall return to the TPZ by September 2021 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operational concerns are identified.
8. This letter of approval shall be stripped onto the final plan.

TOWN COUNCIL REFERRAL:

16. **10-60 Starkel Road** - Application filed on behalf of West Hartford Fellowship Housing, lessees of 10-60 Starkel Road, to amend existing Special Development District (SDD) #87. The amendment proposes to redevelop the existing 213 unit affordable housing complex. The proposed redevelopment contemplates the demolition of all the existing buildings, except for the building at 60 Starkel Road, and the construction of six new residential buildings, a new maintenance building, renovations to the 60 Starkel Road building, and associated parking facilities, site lighting, landscaping, recreational, pedestrian and site improvements. A total of 308 age-restricted and accessible units are proposed under the redevelopment. (Town Council receipt June 11, 2019. TPZ receipt July 8, 2019. Town Council public hearing scheduled for July 16, 2019. Hearing opened and immediately continued to August 13, 2019 and again to September 10, 2019.) ***Recommend to Approve. Motion/Gillette; Second/Gomes; Vote 5-0.***

TOWN PLANNER'S REPORT:

17. **Plan of Conservation and Development Update:** Scheduling discussion for the next TPZ Subcommittee meetings for September.

Todd Dumais provided an update. The Commission scheduled the following additional subcommittee meetings: September, 11th and 18th.

MEETING ADJOURNED: 11:20 P.M.

U: shareddocs/TPZ/Minutes//2019/September 4_Final